

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

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PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Date of mailing
(day/month/year) 24 AUGUST 2004 (24.08.2004)

Applicant's or agent's file reference
SH-21868-PCT

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/KR2004/001073

International filing date (day/month/year)

10 MAY 2004 (10.05.2004)

Priority date(day/month/year)

10 MAY 2003 (10.05.2003)

International Patent Classification (IPC) or both national classification and IPC

IPC7 G11B 20/10

Applicant

SAMSUNG ELECTRONICS CO., LTD. et al

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/KR



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International application No.

PCT/KR2004/001073

Box No. 1 Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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**WRITTEN OPINION OF THE
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PCT/KR2004/001073

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-17	YES
	Claims	NONE	NO
Inventive step (IS)	Claims	1-11, 13-17	YES
	Claims	12	NO
Industrial applicability (IA)	Claims	1-17	YES
	Claims	NONE	NO

2. Citations and explanations :

Reference is made to the following documents:

D1 : US 2003/0028892 A1

D2 : JP 10-136314 A

D3 : EP 1076461 A1

D4 : EP 1089565 A2

1. Novelty and Inventive Step

D1 discloses a method and apparatus for providing customers with media contents combined with enhanced, interactively-obtained media contents. D2 relates to an interactive video reproducing device for improving operability in a network standby state by reproducing data corresponding to a reproducing procedure of the specified condition. D3 relates to a process for synchronizing an MPEG decoder for decoding compressed data originating from a recording medium. D4 relates to a transport stream recording/reproducing apparatus and a recording medium for realizing prompt random access reproduction in response to a user's command.

With regard to Claims 1, 6 and 9, the subject matter of these claims is regarded as reproducing an AV data in synchronization with predetermined markup data related to the AV data by receiving location information of video data and calculating a reproduction location of markup data related to the video data.

The subject matter of Claims 11, 16 and 17 is regarded as a recording medium according to Claims 1, 6 and 9.

The subject matter of Claim 12 is regarded as a recording medium having an audio data structure including synchronization information and audio data. But it is obvious to a person skilled in the art to combine D4 with D3 to arrive at Claim 12. Therefore, Claim 12 does not involve an inventive step.

The other claims comply with PCT Article 33(2) and (3).

2. Industrial Applicability

Claims 1-17 meet the criteria set out in PCT Article 33(4).

These claims are directed to a method and apparatus for receiving audio data using a ~~hyper text transport protocol(HTTP) and an audio data structure used for the apparatus~~ and method.

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claims 13-15, which are dependent claims of Claim 12, refer to "the method of Claim 12", but Claim 12 relates to a recording medium on which audio data has been recorded.

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